

IN RE: VICTOR ROFFE ATTIAS
CAROLINE JULIE PIKET HOFFMAN

Bkrtcy. No. 09-09634-SEK

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES
AND REPORT ON CONFIRMATION

Petition Filing Date: <u>Nov 10, 2009</u>	Meeting Date: <u>Mar 05, 2010</u>	DC Track No. <u>20</u>						
Days from petition date: <u>115</u>	Meeting Time: <u>1:00 PM</u>							
910 Days before Petition: <u>5/15/2007</u>	<input type="checkbox"/> Chapter 13 Plan Date: <u>Feb 01, 2010 Dkt.# 27</u>	<input type="checkbox"/> Amended.						
This is debtor(s) <u>1st</u> Bankruptcy petition.	Plan Base: <u>\$25,000.00</u>							
This is the <u>2nd</u> Scheduled Meeting	Confirmation Hearing Date: <u>Jun 01, 2010</u>	Time: <u>8:30 AM</u>						
Payment(s) <input type="checkbox"/> Received or <input type="checkbox"/> Evidence shown at meeting:	<table border="1"> <thead> <tr> <th>Ck/MO No.</th> <th>Date</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Ck/MO No.	Date	Amount				Total Paid In: <u>\$600.00</u>
Ck/MO No.	Date	Amount						

I. Appearances:		<input type="checkbox"/> Telephone <input type="checkbox"/> Video Conference	<input checked="" type="checkbox"/> Creditor(s) present: <u>BPRR - Herrera</u>
<input checked="" type="checkbox"/> Debtor Present	<input checked="" type="checkbox"/> ID & Soc. OK	<input type="checkbox"/> Debtor Absent	
<input checked="" type="checkbox"/> Joint Debtor Present	<input checked="" type="checkbox"/> ID & Soc. OK	<input type="checkbox"/> Joint Debtor Absent	
Debtor(s) was/were <input checked="" type="checkbox"/> Examined <input type="checkbox"/> Not Examined under oath.			
Attorney for Debtor(s) <input checked="" type="checkbox"/> Present <input type="checkbox"/> Not Present			
<input type="checkbox"/> Substitute attorney:	<input type="checkbox"/> Pro-se.		

II. Attorneys Fees as per R 2016(b) Statement		Attorney of record: <u>JOSE L JIMENEZ QUINONES*</u>
Total Agreed: <u>\$3,000.00</u>	Paid Pre-Petition: <u>\$3,000.00</u>	Outstanding: <u>\$0.00</u>
		THROUGH THE PLAN

III. Trustee's will file Motion to Dismiss:	<input type="checkbox"/> For Failure to appear;	<input type="checkbox"/> For Failure to commence payments.
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IV. Trustee's Report on Confirmation & Status of §341 Meeting		
Debtor(s) Income is (are) <input type="checkbox"/> Under <input checked="" type="checkbox"/> Above Median Income.	Liquidation Value: <u>\$245,246</u>	
Commitment Period is <input type="checkbox"/> 36 <input checked="" type="checkbox"/> 60 months. [§1325(b)(1)(B)]	Gen. Unsecured Pool: <u>\$0</u>	
<u>The Trustee</u> <input type="checkbox"/> RECOMMENDS <input checked="" type="checkbox"/> OBJECTS <input type="checkbox"/> Plan confirmation.		
§341 Meeting <input type="checkbox"/> CONTINUED <input type="checkbox"/> NOT HELD <input type="checkbox"/> CLOSED <input checked="" type="checkbox"/> HELD OPEN FOR <u>15</u> DAYS		
§341 Meeting Rescheduled for <u>pending filing of 2008 PR return transcript.</u>		

V. Trustee's OBJECTIONS to Confirmation:		
<input type="checkbox"/> FEASIBILITY [§1325(a)(6)]	<input checked="" type="checkbox"/> INSUFFICIENTLY FUNDED	<input type="checkbox"/> To pay \$507
<input checked="" type="checkbox"/> FAILS DISPOSABLE INCOME REQUIREMENTS	<input type="checkbox"/> Failure to comply with Tax returns requirements. [§1308]	<input checked="" type="checkbox"/> Fails Creditor's Best Interest Test §1325(A)(4)
<input type="checkbox"/> Failure to comply with DSO requirements	<input type="checkbox"/> Plan not filed in Good Faith §1325(a)(3)	<input type="checkbox"/> Unfair Discrimination §1322(a)(3)

ADDITIONAL OBJECTIONS / COMMENTS:
<p>① Debtors must upload 6-month prepetition stubs in 5 days or case will be dismissed.</p> <p>② Debtor stopped receiving salaries in Nov. 2009 from his family corporation, must amend schedules "I" and "J" if salaries will be different.</p>

/s/ José R. Carrión
Trustee

Presiding Officer
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ADDITIONAL OBJECTIONS / COMMENTS:

- ③ Trustee objects to Schedule "A" property's declared value. Appraisal Report of August 2009, reflects a value of \$450,000; must amend Schedule "A".
- ④ Debtor to submit Appraisal Report seen at 341 meeting.
- ⑤ Debtor must object to Unsecured Claims that do not entail personal liability of debtors.
- * ⑥ Trustee to analyze if Debtor's case exceeds section 109's jurisdictional claims cap.
- ⑦ Plan must include provision for future tax refunds to fund plan base.


Trustee / Presiding Officer

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Date:

3/5/2010